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*Attorneys for Defendants LeCresha Smith, as Special  
Administrator of the Estate of Michael Mosley, Lecresha Smith,  
Individually, LeCresha Smith as parent and guardian of M.M.*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

MESA UNDERWRITERS SPECIALTY  
INSURANCE COMPANY,

Plaintiff

vs.

LeCRESHA SMITH as Special Administrator of  
the Estate of MICHAEL MOSLEY, Deceased; and  
LeCRESHA SMITH, Individually and as heir to the  
Estate of MICHAEL MOSLEY; LeCRESHA  
SMITH as parent and guardian of M.M.;  
HAMPTON APTS., INC. d/b/a THE HAMPTON  
APTS.; 1<sup>st</sup> SECURITY SERVICES OF NEVADA  
CORP; ANZA MANAGEMENT COMPANY,

Defendants

Case No.: 2:23-CV-01058-CDS-VCF

**STIPULATION AND ORDER TO  
EXTEND TIME TO FILE REPLY  
BRIEFS REGARDING THE  
MOTIONS TO DISMISS, OR IN  
THE ALTERNATIVE, MOTIONS  
TO STAY THE DECLARATORY  
RELIEF ACTION**

**(First Request)**

Pursuant to LR 7-1, LR 1A 6-1, and LR 1A 6-2, Plaintiff, Mesa Underwriters Specialty Insurance Company, and the moving parties, Defendants, LeCresha Smith (“Defendant Smith”) and Defendants, 1<sup>st</sup> Security Services of Nevada (Defendants 1<sup>st</sup> Security), by and through their counsel of record, hereby submit this Stipulation and Order to Extend Time To File Reply Briefs Regarding The Motions to Dismiss or Alternative Motions to Stay the Declaratory Relief Action.

1 This is the parties' first request and is not made for purposes of delay or otherwise unnecessarily  
2 delaying these proceedings. The filing date of the subject motions is September 18, 2023, and  
3 September 19, 2023, respectively.

4 The basis for this extension stems from the fact that the Nevada Justice Association  
5 convention is being held on October 3 – 5, 2023, in San Diego, California, which counsel for  
6 Defendant Smith will be attending and participating in as a "guest panelist" for one of the sessions  
7 involving Discovery in Nevada state courts. Thus, given this out-of-office engagement, there will  
8 be limited time in which to timely prepare and serve her reply brief to Plaintiff's recent  
9 Response/Opposition to the Motion to Dismiss/Stay. Based upon this scheduling conflict, the  
10 parties have agreed to an additional 10 days for both Defendants to provide Reply briefs to  
11 Plaintiffs' recent Responses/Oppositions to the Motions to Dismiss/Stay as follows:

12 1. Defendant Smith filed her Motion to Dismiss/Stay on September 18, 2023 (ECF  
13 13).

14 2. Defendant 1<sup>st</sup> Security filed its Motion to Dismiss/Stay on December 19, 2023  
15 (ECF 15).

16 3. Plaintiff filed its Response/Opposition to Defendant Smith's Motion to  
17 Dismiss/Stay on October 2, 2023. (ECF 17).

18 4. Plaintiff filed its Response/Opposition to Defendant 1<sup>st</sup> Security's Motion to  
19 Dismiss/Stay on October 2, 2023. (ECF 18).

20 5. The computer-generated date identified accompanied with the filing of Plaintiffs'  
21 Responses/Oppositions to the Motions to Dismiss indicated that the due date for filing a Reply to  
22 each of these Oppositions is October 9, 2023.

23 6. The parties agree that given the scheduling conflict identified above, an additional  
24 10 days for Defendant Smith and Defendant 1<sup>st</sup> Security to prepare and file their Reply briefs is  
25 appropriate.

26 7. The new date for Defendant Smith and Defendant 1<sup>st</sup> Security to prepare and file  
27 their Reply briefs is now October 19, <sup>2023</sup> ~~2019~~.

28 8. This is the parties' first request to extend briefing for the subject Motions to  
Dismiss/Stay.



1 This Stipulation and Order is not made for purposes of undue delay or for some improper  
2 purpose but is necessary due to the legitimate scheduling conflict identified above.

3 Dated this 3<sup>rd</sup> day of October, 2023.

Dated this 3<sup>rd</sup> day of October, 2023.

4 CLOWARD TRIAL LAWYERS

WHITMIRE LAW, PLLC

5  
6 /s/ Riley A. Clayton

7 RILEY A. CLAYTON, ESQ. (5260)  
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/s/ James E. Whitmire

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9  
10 Dated this 3<sup>rd</sup> day of October, 2023.

11 CLYDE & CO US LLP

12  
13 /s/ Casey G. Perkins

14 CASEY G. PERKINS, ESQ. (12063)  
15 7251 W. Lake Mead Blvd., Suite 430  
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Attorney for Plaintiff

16 **ORDER**

17 IT IS SO ORDERED.

18  
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UNITED STATES DISTRICT JUDGE

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22 DATED: October 3, 2023  
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